

**ASSEMBLY BILL**

**No. 2230**

**Introduced by Assembly Member Thompson**

February 19, 1998

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An act to amend Sections 1055, 3031, and 3050 of, and to amend, repeal, and add Section 7149 of, the Fish and Game Code, relating to fish and game.

LEGISLATIVE COUNSEL'S DIGEST

AB 2230, as introduced, B. Thompson. Fish and game: licenses.

(1) Under existing law, the Department of Fish and Game may authorize any person, except as provided, to be a license agent to issue punch cards, licenses, license stamps, and license tags. Under existing law, the department may provide the cards, licenses, stamps, and tags, to a license agent on consignment, as specified, or, alternatively, the department may collect, in cash or cashier's check, at the time the documents are provided, an amount equal to the fees for all of the cards, licenses, stamps, and tags provided.

This bill would eliminate the reference to payment by cash or cashier's check under the alternative payment arrangement.

(2) Existing law requires every person who takes any bird or mammal to first obtain a license issued by the department. In particular, existing law provides for the issuance of a hunting license to a nonresident of this state, valid only at an organizational field trial, as specified, upon the payment of a base fee of \$15, as adjusted.

This bill would eliminate that organizational field trial license.

(3) Existing law requires a person applying for a hunting license to produce evidence that he or she has previously been issued a hunting license, as specified, or has completed a hunter safety course, as specified. Existing law excepts from this requirement, nonresidents applying for a 2-day license to take specified game birds and mammals, and nonresidents applying for a one-day license to take domesticated game birds and pheasants, as specified.

This bill, instead, would require the nonresidents applying for the 2-day hunting license to meet the above evidence requirements.

(4) Existing law requires every person over the age of 16 years who takes any fish, reptile, or amphibia for any purpose other than for profit to first obtain a license issued by the department for that purpose. Existing law specifies the types of sportfishing licenses that may be obtained, and in particular, provides for the issuance of a license to a nonresident of California, as specified, for a 10-day consecutive period beginning on the date of purchase of the license.

This bill, instead, would provide for the 10-day consecutive period for that license to begin on the date specified on the license.

Existing law also provides for the issuance of a sportfishing license to a resident or nonresident, over the age of 16 years, for one designated day, upon the payment of a base fee of \$7, as adjusted.

This bill would, until January 1, 2002, make that license valid for 2 consecutive designated days, upon the payment of the base fee.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 1055 of the Fish and Game Code  
2 is amended to read:



1 1055. (a) The department may authorize any person,  
2 except a commissioner or an officer or employee of the  
3 department, to be a license agent to issue punch cards,  
4 licenses, license stamps, and license tags. It may consign  
5 punch cards, licenses, license stamps, and license tags to  
6 license agents without receiving payment therefor, upon  
7 application of the license agent and upon the giving of a  
8 bond or assigning a certificate of deposit, payable to the  
9 department, as provided in this article. It ~~shall~~ *may* not  
10 consign any punch cards, licenses, license stamps, and  
11 license tags to any license agent who fails to submit the  
12 report required by subdivision (a) of Section 1055.5  
13 within one month and 20 days following the last day of  
14 that calendar month or who otherwise fails to fully  
15 comply with Section 1055.5.

16 (b) A license agent authorized under subdivision (a)  
17 shall add a handling charge to the fees, which fees are  
18 prescribed in this code or in regulations adopted pursuant  
19 to this code, for applications, punch cards, licenses,  
20 license stamps, and license tags issued by the license  
21 agent in an amount that is 5 percent of the face value of  
22 the item rounded to the nearest five cents (\$0.05).

23 (c) The handling charge added under subdivision (b)  
24 shall be incorporated into the total amount collected for  
25 issuing the punch card, license, license stamp, or license  
26 tag, but the handling charge ~~shall~~ *may* not be included  
27 when determining license fees in accordance with  
28 Section 713. License agents may issue any punch card,  
29 license, license stamp, or license tag for any amount that  
30 is up to 10 percent less than the fee prescribed in this code  
31 or in regulations adopted pursuant to this code. The  
32 license agent shall remit to the department the full  
33 amount of the fees as prescribed in this code or in  
34 regulations adopted pursuant to this code for all punch  
35 cards, licenses, license stamps, or license tags issued.

36 (d) The handling charge required by subdivision (b)  
37 is the license agent's only compensation for services. No  
38 other additional fee or charge ~~shall~~ *may* be made by the  
39 license agent for issuing punch cards, licenses, license  
40 stamps, or license tags authorized under this section.

1 (e) The department may designate a nonprofit  
2 organization, organized pursuant to the laws of this state,  
3 or the California chapter of a nonprofit organization,  
4 organized pursuant to the laws of another state, as a  
5 license agent for the sale of lifetime licenses issued  
6 pursuant to Sections 714, 3031.2, and 7149.2. These  
7 licenses may be sold by auction or by other methods and  
8 are not subject to the fee limitations prescribed in this  
9 code. An agent authorized to issue lifetime sport fishing  
10 licenses, lifetime hunting licenses, and lifetime  
11 sportsman's licenses under this subdivision is exempt  
12 from subdivisions (b) and (d). The license agent shall  
13 remit to the department all revenue derived from the  
14 sale of the lifetime licenses.

15 (f) In order to facilitate the prompt remittance of fees  
16 and more accurate accounting of licenses, license stamps,  
17 and license tags provided for issuance to license agents,  
18 the department shall provide them in books containing  
19 licenses, license stamps, or license tags that do not exceed  
20 the total fees for 20 resident sport fishing licenses. This  
21 subdivision does not apply to nonresident licenses and  
22 nonresident license tags.

23 (g) At any single business location, a license agent shall  
24 issue all items from a single book before commencing to  
25 issue licenses, license stamps, or license tags of the same  
26 series from another book.

27 (h) The department, alternatively, may provide for  
28 the issuance of punch cards, licenses, license stamps, and  
29 license tags to authorized license agents and shall collect,  
30 ~~in cash or cashier's check,~~ at the time the documents are  
31 provided an amount equal to the fees for all of the punch  
32 cards, licenses, license stamps, and license tags provided.  
33 Any license agent who pays the fees for punch cards,  
34 licenses, license stamps, and license tags provided is  
35 exempt from subdivisions (a) and (e) of Section 1055.5,  
36 Section 1056, and Section 1059. Punch cards, licenses,  
37 license stamps, and license tags provided pursuant to this  
38 subdivision and remaining unissued at the end of the  
39 license year may be returned to the department, within

1 60 days of their expiration date, for refund or credit, or a  
2 combination thereof.

3 (i) All unissued and expired punch cards, licenses,  
4 license stamps, and license tags shall be returned to the  
5 department. Any license agent who does not return them  
6 within one month and 20 days following the last day of the  
7 license year ~~shall~~ *may* not be provided additional punch  
8 cards, licenses, license stamps, or license tags until the  
9 unissued and expired punch cards, licenses, license  
10 stamps, and license tags have been returned to the  
11 department. In addition, any unissued and expired item  
12 that is not returned within 60 days following the last day  
13 of the license year shall be billed to the license agent.  
14 Items may be returned for credit after the 60 days;  
15 however, the license agent shall pay interest and  
16 penalties on the returned items as prescribed in  
17 subdivision (b) of Section 1059. No credit ~~shall~~ *may* be  
18 allowed after six months following the last day of the  
19 license year.

20 SEC. 2. Section 3031 of the Fish and Game Code is  
21 amended to read:

22 3031. (a) A hunting license, granting the privilege to  
23 take birds and mammals, shall be issued to any of the  
24 following:

25 (1) A resident of this state, 16 years of age or older,  
26 upon the payment of a base fee of seventeen dollars (\$17),  
27 as adjusted under Section 713.

28 (2) A person under the age of 16 years, upon the  
29 payment of a base fee of four dollars (\$4), as adjusted  
30 under Section 713.

31 (3) A person not a resident of this state, 16 years of age  
32 or older, upon the payment of a base fee of fifty-nine  
33 dollars (\$59), as adjusted under Section 713.

34 (4) A person not a resident of this state, 16 years of age  
35 or older, valid only for two consecutive days upon  
36 payment of a base fee of twenty-five dollars (\$25), as  
37 adjusted under Section 713. A license issued pursuant to  
38 this paragraph is valid only for taking resident and  
39 migratory game birds, resident small game mammals,  
40 fur-bearing mammals, and nongame mammals, as

1 defined in this code or in regulations adopted by the  
2 commission.

3 (5) A person not a resident of this state, valid for one  
4 day and only for the taking of domesticated game birds  
5 and pheasants while on the premises of a licensed game  
6 bird club, or for the taking of domesticated migratory  
7 game birds in areas licensed for shooting those birds, upon  
8 the payment of a base fee of eight dollars (\$8), as adjusted  
9 under Section 713.

10 ~~(6) A person not a resident of this state, valid only at~~  
11 ~~an organizational field trial under Section 3510, upon the~~  
12 ~~payment of a base fee of fifteen dollars (\$15), as adjusted~~  
13 ~~under Section 713.~~

14 (b) The adjustment of the base fees under Section 713,  
15 which are specified in paragraphs (1) to ~~(6)~~ (5),  
16 inclusive, of subdivision (a), are applicable to the hunting  
17 license years beginning on and after July 1, 1988.

18 ~~(e) This section shall become operative on July 1, 1997.~~

19 SEC. 3. Section 3050 of the Fish and Game Code is  
20 amended to read:

21 3050. (a) No hunting license ~~shall~~ *may* be issued to  
22 any person unless he or she presents to the person  
23 authorized to issue that license any of the following:

24 (1) Evidence that he or she has held a hunting license  
25 issued by this state in a prior year.

26 (2) Evidence that he or she holds a current hunting  
27 license issued by another state or province.

28 (3) A certificate of completion of a course in hunter  
29 safety, principles of conservation, and sportsmanship, as  
30 provided in this article, with a hunter safety instruction  
31 validation stamp affixed thereto.

32 (4) A certificate of successful completion of a hunter  
33 safety course in another state or province.

34 (5) Evidence of completion of a course in hunter  
35 safety, principles of conservation, and sportsmanship,  
36 which the commission may, by regulation, require.

37 (b) The evidence required in subdivision (a) shall be  
38 forwarded to the department with the license agent's  
39 report of hunting license sales as required pursuant to  
40 Section 1055.5.

(c) Subdivision (a) does not apply to any person ~~not a~~  
~~resident of this state~~, purchasing a hunting license under  
paragraph ~~(4) or~~ (5) of subdivision (a) of Section 3031.  
However, that license ~~shall~~ *may* not qualify as evidence  
required in subdivision (a) of this section.

SEC. 4. Section 7149 of the Fish and Game Code is  
amended to read:

7149. (a) A sportfishing license granting the  
privilege to take any fish, reptile, or amphibia anywhere  
in this state for purposes other than profit shall be issued  
to any of the following:

(1) A resident of this state, over the age of 16 years,  
upon payment during the 1987 calendar year, or, if issued  
after the beginning of the year, for the remainder thereof,  
upon payment of a fee of eighteen dollars (\$18), or upon  
the payment during a calendar year beginning on or after  
January 1, 1988, of the base fee of sixteen dollars ~~and~~  
seventy-five cents (\$16.75), as adjusted under Section 713.

(2) A nonresident, over the age of 16 years, for the  
period of a calendar year, or, if issued after the beginning  
of the year, for the remainder thereof, upon payment of  
a base fee of forty-five dollars (\$45), as adjusted under  
Section 713.

(3) A nonresident, over the age of 16 years for the  
period of 10 consecutive days beginning on the date ~~of~~  
~~purchase specified on the license~~ upon payment of the fee  
set forth in paragraph (1), as adjusted under Section 713.

(4) A resident or nonresident, over the age of 16 years,  
for ~~one-two consecutive~~ designated ~~day—calendar days~~,  
upon payment of the base fee of seven dollars (\$7) as  
adjusted under Section 713. Notwithstanding Section  
1053, more than one ~~single-day—two-day~~ license issued for  
different ~~days~~ *two-day periods* may be issued to, or  
possessed by, a person at one time.

(b) A sport ocean fishing license granting the licensee  
to take any fish from ocean waters of this state for  
purposes other than profit shall be issued to a resident of  
this state, over the age of 16 years, for the period of a  
calendar year, or if issued after the beginning of the year,

1 for the remainder thereof, upon payment of a base fee of  
2 ten dollars (\$10), as adjusted under Section 713.

3 (c) A sport ocean fin fishing license granting the  
4 privilege to take only fin fish from the ocean waters of this  
5 state for purposes other than profit shall be issued to a  
6 person over the age of 16 years for one designated day,  
7 upon the payment for a designated day in the license year  
8 beginning on January 1 of the base fee of four dollars (\$4),  
9 as adjusted under Section 713.

10 (d) For the purposes of this section, the adjustment  
11 under Section 713 shall be calculated and added to the  
12 base fees to establish the fees paid for licenses issued in the  
13 license years beginning on and after January 1, 1988, in  
14 accordance with Section 713.

15 (e) California sportfishing license stamps shall be sold  
16 by license agents in the same manner as sportfishing  
17 licenses, and no compensation ~~shall~~ may be paid to the  
18 license agent for sale of the stamps except as provided in  
19 Section 1055.

20 (f) *This section shall remain in effect until January 1,*  
21 *2002, and as of that date is repealed unless a later enacted*  
22 *statute, which is enacted on or before January 1, 2002,*  
23 *deletes or extends that date.*

24 SEC. 5. Section 7149 is added to the Fish and Game  
25 Code, to read:

26 7149. (a) A sportfishing license granting the  
27 privilege to take any fish, reptile, or amphibia anywhere  
28 in this state for purposes other than profit shall be issued  
29 to any of the following:

30 (1) A resident of this state, over the age of 16 years,  
31 upon payment during the 1987 calendar year, or, if issued  
32 after the beginning of the year, for the remainder thereof,  
33 upon payment of a fee of eighteen dollars (\$18), or upon  
34 the payment during a calendar year beginning on or after  
35 January 1, 1988, of the base fee of sixteen dollars  
36 seventy-five cents (\$16.75), as adjusted under Section 713.

37 (2) A nonresident, over the age of 16 years, for the  
38 period of a calendar year, or, if issued after the beginning  
39 of the year, for the remainder thereof, upon payment of



1 a base fee of forty-five dollars (\$45), as adjusted under  
2 Section 713.

3 (3) A nonresident, over the age of 16 years for the  
4 period of 10 consecutive days beginning on the date  
5 specified on the license upon payment of the fee set forth  
6 in paragraph (1), as adjusted under Section 713.

7 (4) A resident or nonresident, over the age of 16 years,  
8 for one designated day, upon payment of the base fee of  
9 seven dollars (\$7) as adjusted under Section 713.  
10 Notwithstanding Section 1053, more than one single day  
11 license issued for different days may be issued to, or  
12 possessed by, a person at one time.

13 (b) A sport ocean fishing license granting the licensee  
14 to take any fish from ocean waters of this state for  
15 purposes other than profit shall be issued to a resident of  
16 this state, over the age of 16 years, for the period of a  
17 calendar year, or if issued after the beginning of the year,  
18 for the remainder thereof, upon payment of a base fee of  
19 ten dollars (\$10), as adjusted under Section 713.

20 (c) A sport ocean fin fishing license granting the  
21 privilege to take only fin fish from the ocean waters of this  
22 state for purposes other than profit shall be issued to a  
23 person over the age of 16 years for one designated day,  
24 upon the payment for a designated day in the license year  
25 beginning on January 1 of the base fee of four dollars (\$4),  
26 as adjusted under Section 713.

27 (d) For the purposes of this section, the adjustment  
28 under Section 713 shall be calculated and added to the  
29 base fees to establish the fees paid for licenses issued in the  
30 license years beginning on and after January 1, 1988, in  
31 accordance with Section 713.

32 (e) California sportfishing license stamps shall be sold  
33 by license agents in the same manner as sportfishing  
34 licenses, and no compensation may be paid to the license  
35 agent for sale of the stamps except as provided in Section  
36 1055.

37 (f) This section shall become operative on January 1,  
38 2002.

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